



United States Environmental
Protection Agency
Washington, DC 20460

Interagency Agreement

Amendment

Part 1 - General Information

1. EPA IAG Identification Number DW-96-94216601 - 2	4. Funding Location by Region EPA R2
2. Other Agency IAG ID Number 96	5. Program Office Abbreviation Region 2
3. Type of Action Augmentation: Increase	

6. Name and Address of EPA Organization
US Environmental Protection Agency
Emergency and Remedial Response Division
290 Broadway
New York, New York 10007-1866
DUNS: 029128894

7. Name and Address of Other Agency
Corps of Engineers-Omaha District E&M CX
1616 Capitol Ave., Suite 9200 (CEHNC-CX-ES)
Omaha, NE 68102-9200
DUNS: DOD9623AC

8. Project Title and Description
Cornell Dubilier Electronics, OU2, Remedial Action Activities
Soil Remediation for Operable Unit 2 at the Cornell Dubilier Electronics Superfund Site, South Plainfield, New Jersey.
Major (Amendment Req.): Increase funding by \$25,000,000.

9. EPA Project Officer (Name, Address, Phone Number)
Justin Gottesman
Emergency and Remedial Response Division
290 Broadway
New York, NY 10007-1866
212-637-4303

10. Other Agency Project Officer (Name, Address, Phone Number)
Marvené L. Seaman
USACE, CEHNC-CX-ES
1616 Capitol Ave., Suite 9200
Omaha, NE 68102-9200
402 697-2425

11. Project Period
09/30/2008 to 12/30/2012

12. Budget Period
09/30/2008 to 12/30/2012

13. Scope of Work

This amendment obligates funding in the amount of \$25,000,000 to the U.S. Army Corps of Engineers-New York District to continue remedial action activities (soil remediation) for OU2 at the Cornell Dubilier Electronics Superfund site (EPA ID#: NJD981557879). USEPA and USACE will utilize the Direct Fund Cite and Revised Reimbursable payment methods. Funds are divided as follows:

	Previous	Current	Total
Revised Reimbursable (68-20X8145)	\$ 2,000,000	\$ 1,000,000	\$ 3,000,000
Direct Fund Cite (68-20X8145)	\$14,000,000	\$24,000,000	\$38,000,000
Direct Fund Cite (68-9/0 8195)	\$30,000,000	\$ 0	\$30,000,000
	<u>\$46,000,000</u>	<u>\$25,000,000</u>	<u>\$71,000,000</u>

Funding Agency's Treasury Symbols: 68-20X8145 NO-YEAR
68-9/0 8195 2-YEAR

This IA amendment is to continue Remedial Action activities at the Cornell Dubilier Electronics Superfund site. There is no change in the scope of work.

Green Remediation Requirements condition is attached. All other terms and conditions of the original agreement and previous amendment remain in effect.

Pietro Mannino is the RPM and he can be reached at (212) 637-4395.

EPA IA Specialist for this IA is John Owen 212-637-3415

14. Statutory Authority for Both Transfer of Funds and Project Activities

American Recovery and Reinvestment Act of 2009; CERCLA: Secs. 105(a)(4) & 115; Executive Order 12580 as amended

15. Other Agency Type
Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount	\$46,000,000	\$25,000,000	\$71,000,000
17. EPA In-Kind Amount	\$0	\$0	\$0
18. Other Agency Amount	\$0	\$0	\$0
19. Other Agency In-Kind Amt.	\$0	\$0	\$0
20. Total Project Cost	\$46,000,000	\$25,000,000	\$71,000,000

21. Fiscal

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
CORNELL	HE0158	2009	T	2AD0R	302DD2C	2506	02GZRA02	C004	25,000,000
									25,000,000



P. Mannino
6/21/09

Part II - Approved Budget		EPA IAG Identification Number
		DW-96-94216601 - 2
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$187,547	\$599,415
(b) Fringe Benefits	\$103,151	\$329,677
(c) Travel	\$0	\$0
(d) Equipment	\$0	\$0
(e) Supplies	\$0	\$0
(f) Procurement / Assistance	\$24,000,000	\$68,000,000
(g) Construction	\$0	\$0
(h) Other	\$500,000	\$1,401,961
(i) Total Direct Charges	\$24,790,698	\$70,331,053
(j) Indirect Costs: Rate <u>72%</u> Base <u>\$290,698.00</u>	\$209,302	\$668,947
(k) Total (EPA Share 100.00 %) (Other Agency Share 0.00 %)	\$25,000,000	\$71,000,000
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Type of Extramural Agreement <input type="checkbox"/> Grant <input type="checkbox"/> Cooperative Agreement <input checked="" type="checkbox"/> Procurement		
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
SEVENSON ENVIRONMENTAL	68000000 Total \$ 68,000,000.00	100
Part III - Funding Methods and Billing Instructions		
25. (Note: EPA Agency Location Code (ALC) - 68010727)		
<input checked="" type="checkbox"/> Disbursement Agreement <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Repayment <input type="checkbox"/> Advance </div> <div> Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Upon Completion of Work Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002. Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460. </div> </div> <input type="checkbox"/> Allocation Transfer-Out		
26. <input type="checkbox"/> Reimbursement Agreement <input type="checkbox"/> Repayment <input type="checkbox"/> Advance <input type="checkbox"/> Allocation Transfer-In		
Funding Agency's Treasury Symbol <u>68/20X8145</u> <input type="checkbox"/> One-Year <input type="checkbox"/> Two-Year <input checked="" type="checkbox"/> No-Year		
Other Agency's IAG Identification Number <u>96</u>		EPA Program Office Allowance Holder/Resp. Center No. <u>27</u>
Other Agency's Billing Address (include ALC or Station Symbol Number)		Other Agency's Billing Instructions and Frequency

Part IV - Acceptance Conditions

EPA Identification Number

DW-96-94216601 - 2

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

Part V - Offer and Acceptance

Note: 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US EPA R2
Grants and Contracts Management Branch
290 Broadway
New York, New York 10007-1866

30. Organization/Address

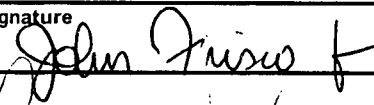
US Environmental Protection Agency
Region 2
Emergency and Remedial Response Division
290 Broadway
New York, NY 10007-1866

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environment Protection Agency Program Office

31. Signature



Typed Name and Title

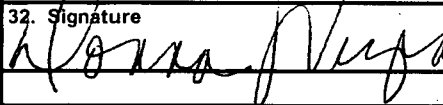
Walter E. Mugdan, Director, Emergency and Remedial Response Division

Date

6/19/09

Action on Behalf of the Environment Protection Agency

32. Signature



Typed Name and Title

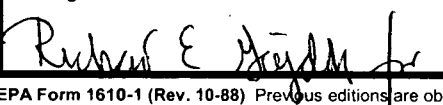
Donna J. Vizian, Assistant Regional Administrator for Policy and Management

Date

6/22/09

Authorizing Official on Behalf of the Other Agency

33. Signature



Typed Name and Title

Joseph J. Seebode, Deputy District Engineer for Programs and Project Management Division

Date

6/25/09

TERMS AND CONDITIONS

17. Green Remediation Requirements

The USACE shall use technologies and practices that are sustainable in accordance with EPA Region 2 Clean and Green policy (March 2009) found at http://epa.gov/region2/superfund/green_remediation/. At the direction of the EPA RPM or EPA Project Officer, the USACE shall incorporate requirements for the appropriate practices into the terms of its contracts consistent with the EPA Region 2 Clean and Green policy. The USACE shall report monthly on the use of these technologies and practices, including the associated quantities of materials reduced, reused, or recycled as a direct result of these practices, for all remedial activities conducted under this IA within its monthly status report submission.